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YALE LAW JOURNAL

Published monthly during the Academic Year by the Yale Law Journal Co., Inc.
Edited by Students and members of the Faculty of the Yale School of Law.

SUBSCRIPTION PRICE, \$4.50 A YEAR

SINGLE COPIES, 70 CENTS

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THE LAW SCHOOL

Again with deep sorrow there must be recorded on this page the death of a loyal and valued member of the faculty and staunch believer in the future of the School. On July 3d, 1920, Professor John Warren Edgerton died after a long illness from tuberculosis, at a time when it was hoped that he was on the road to recovery. Since 1903 Professor Edgerton had devoted his energies to the upbuilding of the Yale Law School, first as instructor, then as assistant professor, and from 1913 as professor. For many years also he had served as Secretary of the Faculty. His forceful and amiable personality endeared him to the students, and his long experience and thorough knowledge of commercial law subjects made him a strong teacher, whose place it will be most difficult to fill.

Another loss that is very serious for the School is the retirement of Professor Wurts. His health proved to be such last year that he deems it unwise to risk another severe winter in the North. Having completed twenty-five years of service at Yale, he has tendered his resignation as an active member of the Faculty, and will hereafter hold office as professor emeritus. No one could have served the School with greater loyalty and devotion. In the hearts of the graduates he has a place reserved for none other; no one could have received a

greater testimonial of regard from the students than that offered him at the smoker in his honor last spring.

Yet in spite of these losses, that come so soon after the death of Professor Barbour, one cannot help but feel that the School has before it a year of great development. A summer session was again held that was even more successful than the first one a year ago. The enrollment for the regular term is 179, the largest since the rule requiring a college degree went into effect some ten years ago, and begins to approach the numbers (including high-school graduates) registered annually before that time. It is thirty per cent larger than last year, and the number of Academic Seniors taking law work has also increased. The figures follow:

	1919-20	1920-21
Graduates	4	5
Third-year Class	33	48
Second-year Class	45	72
First-year Class	52	54
Academic Seniors (first-year)	41	45
	<hr/>	<hr/>
	175	224

The gaps in the ranks of the Faculty have been filled most satisfactorily, and the spirit of the School is all that could be desired.

The Summer session lasted from June 21st to August 31st with an enrollment of seventy-five students, of whom two-thirds were second- or third-year men. The courses offered included Criminal Law, Property I, Private and Municipal Corporations, Suretyship, Code Pleading, and Public Service Law. The School was fortunate in having the services of Professor Charles A. Huston, Dean of the Leland Stanford Jr. University Law School, and Professor Thomas P. Hardman of the West Virginia Law School.

Professor Wurts's courses will be taken over by Professor William Reynolds Vance, who resigned as Dean of the Law School of the University of Minnesota to accept the call to Yale. Professor Vance was a member of our Faculty from 1910 to 1912, and it is with great pleasure that all friends of the School will hear of his return. He received the degrees of B.A. in 1892, M.A. in 1893, Ph.D. in 1895, and LL.B. in 1897 from Washington and Lee University. For more than twenty years he has been engaged in law teaching, and his successful career as a teacher, as well as his recognized legal scholarship, give assurance of the strength which his appointment will add to our Faculty. In addition to Property II and III his courses will be Insurance and Wills.

For the past year Professor Edgerton's courses have been in charge of Mr. Karl Nickerson Llewellyn, one of our own graduates of the Class of 1918. Mr. Llewellyn has resigned his instructorship to enter

the practice of the profession in New York. His brilliant record as a student has been continued as an instructor. His departure would be a cause for much regret were it not regarded merely as a temporary absence for the purpose of increasing his experience in preparation for the resumption of his chosen career of law teaching.

To take over the work in Commercial Law carried by Mr. Llewellyn, the services have been secured of another Yale graduate, Professor Herschel W. Arant of Lamar School of Law, Emory University, Atlanta. He received from Yale with high honors the degrees of B.A. in 1911, M.A. in 1912, and LL.B. in 1915. Mr. Arant has been Professor of Law and Secretary in the Lamar School since its organization in 1915. He has been granted a year's leave of absence in order to serve on the Yale Faculty for the coming year. His courses will be Bills and Notes, Persons, Sales, and Code Pleading.

A few changes in the curriculum remain to be noted. Professor Morgan will give the course in Agency, and Professor Clark the course in Equity I and in Partnership. Judge Beach will give the course in Legal Ethics.

Professor Taft has again been forced to ask a year's leave of absence to serve on the Canadian Government Commission to evaluate the Grand Trunk Railway, but will return to the School within the year. His course in Constitutional Law will be given by Professor Borchard.

An important addition to the curriculum is a system of moot court clubs for the first-year men, to be worked out in connection with the Introductory Course under Professor Morgan.

The spirit of coöperation in the School, led by the unity and enthusiasm of its Faculty, leads the JOURNAL to predict a great year in its history.

RIPARIAN RIGHTS AND TIDE-FLOWED LANDS

The recent case of *Tiffany v. Town of Oyster Bay* (1920, App. Div.) 182 N. Y. Supp. 738, raises again the time-worn subject of the title to the foreshore and the riparian proprietor's rights therein. Throughout the United States various rules have been adopted to determine such cases until the common-law rule as it existed in England at the time of the settlement of the American colonies has been so distorted as to make it scarcely recognizable.

In the principal case the plaintiff, who owned a large tract of land on Cold Spring Harbor, received from the State Commissioners of New York a grant of twenty-one acres of land under the waters of the bay, which he filled in and thereby raised the land so that the surface was above high water. The defendant town, claiming the lands so granted, had established, in a former action,¹ its title, under

¹ *Tiffany v. Town of Oyster Bay* (1913) 209 N. Y. 1, 102 N. E. 585.